

CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 448

Citations Affected: IC 3-11; IC 5-26.5.

Synopsis: Address confidentiality program. Conference committee report to ESB 448. Establishes an address confidentiality program in the office of the attorney general. Makes the program available to individuals (including minors and incapacitated persons represented by a parent or guardian) who have obtained a protective order to protect them from domestic violence and wish to keep their addresses confidential from their abusers. Prescribes guidelines for the administration of the program. Provides that an address designated by the office of the attorney general serves as the individual's address for purposes of: (1) service of process; and (2) receipt of mail. Enables the individual to vote without making the individual's address available to the public. Requires the address of the individual who participates in the program to remain confidential except under certain circumstances. Specifies that an individual who provides false or incorrect information on a program application commits perjury. Requires the office of the attorney general to designate certain agencies that provide services to victims of domestic violence to assist an individual who applies to the program. Creates an address confidentiality fund to accept donations, grants or appropriations. (This conference committee report deletes the requirement that a program participant must have a valid protective order to remain in the program and establishes a two year certification renewal cycle and adds the requirement that a program participant must be a domiciliary of Indiana.)

Effective: July 1, 2001.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 448 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Page 4, line 2, after "5-26.5-2-3." insert "A program participant
- 2 **must be domiciled in Indiana."**
- 3 Page 5, delete lines 19 through 28, begin a new paragraph and insert:
- 4 **"Sec. 6. (a) Certification as a program participant expires on the**
- 5 **earlier of:**
- 6 **(1) two (2) years after the date on which the office of the**
- 7 **attorney general certifies or renews the certification of the**
- 8 **applicant as a program participant; or**
- 9 **(2) the date on which the protective order that is the basis for**
- 10 **the certification is withdrawn, revoked, or otherwise**
- 11 **invalidated.**
- 12 **The modification of a protective order is not an invalidation for**
- 13 **purposes of subdivision (2).**
- 14 **(b) A program participant whose certification expires under**
- 15 **subsection (a)(1) may apply to renew the certification under section**
- 16 **7 of this chapter.**
- 17 **(c) A program participant whose certification expires under**
- 18 **subsection (a)(2) may apply to renew the certification under section**
- 19 **8 of this chapter. The program participant shall notify the office of**
- 20 **the attorney general when the protective order is withdrawn,**
- 21 **revoked, or otherwise invalidated.**
- 22 **Sec. 7. (a) This section applies to a program participant whose**

1 certification expired under section 6(a)(1) of this chapter.

2 (b) The office of the attorney general shall notify the program
3 participant of the expiration date at least thirty (30) days before
4 the expiration date.

5 (c) The office of the attorney general shall approve an application
6 for renewal of certification filed in the manner and on a form
7 prescribed by the office of the attorney general if the application
8 contains the requirements set forth in section 2 of this chapter.
9 However, a program participant who applies for renewal of
10 certification under this section does not have to provide a copy of
11 a valid protective order except as provided in section 9 of this
12 chapter.

13 **Sec. 8. (a) This section applies to a program participant whose**
14 **certification expired under section 6(a)(2) of this chapter.**

15 (b) A program participant may apply to renew the certification
16 on a form prescribed by the office of the attorney general. The
17 office of the attorney general may approve the application if the
18 requirements set forth in section 2 of this chapter are satisfied. The
19 office of the attorney general may not approve the application
20 unless a new protective order has been issued to replace the
21 protective order on which the initial certification as a program
22 participant was based."

23 Page 6, line 4, after "perjury." insert **"This section applies to an**
24 **application for certification under section 2 of this chapter and to**
25 **an application for renewal of certification under section 7 or 8 of**
26 **this chapter."**

27 Page 7, line 21, delete "5-26.5-2-10," and insert **"5-26.5-2-7 or**
28 **IC 5-26.5-2-8,"**.

29 Page 7, line 24, delete "has expired or".

30 Page 7, line 24, after "terminated" delete "." and insert **"or otherwise**
31 **invalidated."**

32 Page 7, delete lines 25 through 28.

33 Page 7, line 29, delete "7." and insert **"6."**

(Reference is to ESB 448 as reprinted April 10, 2001.)

Conference Committee Report
on
Engrossed Senate Bill 448

Signed by:

Senator Kenley
Chairperson

Representative Kruzan

Senator Simpson

Representative Budak

Senate Conferees

House Conferees